

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2003-092160

06/29/2005

HONORABLE CONNIE CONTES

CLERK OF THE COURT
S. Canez
Deputy

IN RE THE MATTER OF
MARY MARGARET BIERA

FILED: 07/12/2005

ALTON GLENN REESING

AND

JOHN BIERA JR.

JOHN BIERA JR.
1732 W BUTLER DR
CHANDLER AZ 85224

EXPEDITED SERVICES-SE
SUPPORT SERVICES-CCC

MINUTE ENTRY

Courtroom 1.

11:14 a.m. This is the time set for Evidentiary Hearing based upon the Mother's Petition for Order to Show Cause RE: Contempt filed April 26, 2005. Petitioner/Mother, Mary Biera, is present with counsel, Alton Reesing. Respondent/Father, John Biera Jr., is present representing himself.

A digital audio recording of this proceeding is being made by the "For The Record" recording system in lieu of a court reporter.

The Court has received the proposed Qualified Domestic Relations Order dividing retirement plan benefits.

Discussion is held.

IT IS ORDERED entering judgment in favor of Mother and against Father for Father's share of the cost of preparing the Qualified Domestic Relations Order in this case through this date in the amount of \$114.00.

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IT IS ORDERED filing the original parenting plan for Joint Custody prepared by Father's former counsel but not filed as the Court contemplated.

On the Court's own motion,

IT IS ORDERED nunc pro tunc as of the date of the Decree signed on August 4, 2004 adopting the parties' parenting plan as a final order of the Court.

Mary and John Biera Jr. are sworn and testify.

IT IS ORDERED filing in the Affidavit of Attorney's Fees prepared by Mother's counsel.

IT IS ORDERED that Father shall ensure that Mother receives the motorcycle by August 1, 2005 or another judgment will be implemented against the Father in the amount of \$6,000.00.

IT IS ORDERED that Father shall ensure that Mother receives her tangible personal property by August 1, 2005 or another judgment will be implemented against the Father in the amount of \$1,000.00.

IT IS THEREFORE ORDERED finding Father in contempt for his deficient payments during four months from June 1, 2004 through September 30, 2004.

IT IS ORDERED that Father shall pay a purge amount of \$5,000.00 towards his support arrearages of \$2,500.00 by August 1, 2005 and by making another purge payment of \$2,500.00 by December 31, 2005 directly to the Clerk of the Court, 222 E. Javelina, Mesa, AZ, cash only.

IT IS ORDERED increasing Father's arrearage payment to \$300.00 per month.

IT IS ORDERED referring the matter to Expedited Services for monitoring and enforcement efforts.

IT IS ORDERED that Mother through counsel shall notify the Court if Father did not return the motorcycle and her tangible personal property by August 1, 2005, and the Court will enter judgment for \$6,000.00 for the motorcycle and \$1,000.00 for her tangible personal property.

IT IS ORDERED that the parties exchange Affidavits of Financial Information within ten days of today's date, attaching current paychecks and 2004 tax returns.

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IT IS ORDERED affirming the prior award of attorneys' fees payable by Father to Mother in the amount of \$4,000.00 and entering this amount as a judgment in favor of Mother and against Father effective this date.

IT IS ORDERED entering judgment in favor of Mother and against Father for spousal maintenance arrearages in the total amount of \$13,742.51 which represents spousal maintenance arrearages in the amount of \$12,622.92 and interest in the amount of \$1,119.59 for the time period from June 1, 2004 through April 30, 2005 which incorporates the previous judgment of \$8,459.98

Counsel for Mother shall send Father his Affidavit of Attorney's Fees. Father shall have until July 15, 2005 to provide the Court with a written objection to the amount of attorney's fees that the Court should award and the Court will enter a judgment.

12:38 p.m. Court adjourns.

FILED: Order of Assignment.
Parenting Plan
Petitioner's Affidavit of Attorney's Fees and Costs

/ s /

JUDICIAL OFFICER OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.